

**The Importance of Subsistence and the Need for a Community-Based  
Subsistence Management at Mo‘omomi Bay, Moloka‘i, Hawai‘i**

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**Research Paper for the fulfillment of a Master’s in Arts Degree  
Pacific Islands Studies Department**

**July 2000**

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## I. INTRODUCTION

*If you teach a man to fish, he going eat for the rest of his life. I think, what we want to change that saying down Mo'omomi, if you teach the man the right way to fish; he will feed his family for generations (Figueroa 1997).*

Mo'omomi, located on the northwest side of the island of Moloka'i, is a bay that has been valued by the Hawaiians of Moloka'i for generations. The resources from that bay have provided subsistence for many families throughout Moloka'i since pre-contact times. There are families today that rely on subsistence, because of the island's economy. Economically, Moloka'i has the worst economy statewide and is the poorest of all the Hawaiian Islands.

Since ancient times, among Hawaiians there has been an understanding and strong relationship between the Hawaiian gods, the land and humans. The Hawaiian gods are charged with the responsibility for maintaining the natural resources of different parts of the environment. Hawaiians have always believed that by taking care of the land and the sea, and by treating them with respect, the land and the sea will in exchange take care of all who practice such values. With that understanding and knowledge of the environment, Hawaiians knew that there was a need to respect and treat the land properly, otherwise, there was no way for humans to survive, generation after generation. They, the people, had to make it work. Such Hawaiian values, and many others that will be discussed in this research paper, have been passed down from generation to generation, and they still exist

among many Hawaiians today. Traditional Hawaiian values are part of the daily lives of many Hawaiians, as well as those non-Hawaiians who are brought up among Hawaiians, from the time they were children.

The typical *ahupua'a* was a 'self-sustaining' section of land that ran from the mountains to the sea so as to yield the varied food products of the mountains, the cultivated land, and the sea (Kosaki 1954:1). The Hawaiian fishing system was based, in part, on the traditional land system of Hawai'i. Fishing rights were associated with the *ahupua'a* and later known as the *konohiki* fishing rights during the Hawaiian monarchy. Fishing was always an important subsistence practice, and the harvesting of ocean resources was learned through several generations in a family and was a traditional way to secure seafood. The natives knew the habits and haunts of the fishes very well. With the understanding and knowledge of the lifecycles and lifestyles of a number of fish species, the people were able to catch and gather many marine resources. They devised a variety of methods and techniques for catching fish that were very efficient. "Long experience showed which species could best be caught by each method in each environment" (Bryan 1938a:14).

"With the encroachment of western influences ... the resources that were traditionally used for communal subsistence purposes were gradually brought under private ownership" (Anders 1987:6). Over the years, a change in the lifestyle and in the

economy from a subsistence to a cash economy occurred when many Hawaiians moved to urban areas for employment. With the new lifestyle, traditional practices, techniques, methods and knowledge of different aspects of the Hawaiian culture were pushed aside or left behind. They were no longer practiced by many Hawaiians in their daily lives. Today, the practical application of traditional knowledge, values and methods have become secondary, or no longer exist in the lives of countless Hawaiians. Fortunately, however, there are some Hawaiians today who have the knowledge of traditional Hawaiian cultural values, methods and techniques and use them in their daily lives as they were taught by their *kūpuna* (see glossary). They are the people who need to be looked at and listened to for the perpetuation of traditional Hawaiian culture and values.

Today, subsistence practitioners statewide continue to carry on the traditions of the past. They are connected to, or as they say, in tune with the land, because they live on it and are part of it. And the land is connected to the sea. In this research, I focus on the importance of subsistence, traditional fishing techniques and methods of a community based subsistence management group. The people in the community are the ones who should be in control of their resources, not external agencies, such as the county or state governments. It is the community that has a unique connection with the land, and a special sense of place. A community's ancestors and environmental elements also provide important historical and cultural information. The only way cultural importance can be

understood is by working the land day after day, year after year. The *kūpuna* did this by praying and working the land. In this way, they were able to manage the land within the *ahupua'a* and the ocean resources connected to it. They could not do it by themselves, but by maintaining a spiritual connection with the gods and the land. Among many Hawaiian families today this spirituality still exists and guides them in their daily work.

I am currently working with a group of residents from Ho'olehua Homesteads on the island of Moloka'i. They have formed a community based conservation group, Hui Mālama o Mo'omomi, in order to obtain special management status from the State of Hawai'i, and designate an important area in their community, Mo'omomi Bay, as a Community-Based Marine Sanctuary, strictly for subsistence purposes. Hui Mālama o Mo'omomi represents the community of Ho'olehua Homesteads. The goals of this organization are to maintain a subsistence lifestyle and to revitalize the land, shoreline and ocean system using traditional methods. Education is the driving force for maintaining such lifestyles.

Mo'omomi Bay, which is west of Ho'olehua Homesteads (see frontispiece), is important to residents of Ho'olehua, as it has supplied families with the resources from the sea for many generations. The management of these resources reflects a valuable commitment by the members of the community, who are responsible for conserving and perpetuating the culture and livability of the bay's ecological system. The commitment



addresses several important issues for Hawaiians and sets an example for other communities as a model. Therefore, I argue that management must be in the hands of community members in order that natural resources and traditional values and practices can be perpetuated. The beneficiaries will not only be the community members of today and the environment, but also future generations.

Although I have been involved with Hui Mālama o Mo‘omomi since 1998, my interest goes beyond that. I am a native Hawaiian and come from a family of fishermen and gatherers who relied on resources from the *‘āina* to feed the family. I grew up among family members who had a deep love and respect for the ocean and have wanted to preserve and perpetuate Hawaiian culture. Throughout the years of my college education, I studied many aspects of Hawaiian fishponds and wanted to restore them because they are very special and unique. Nowhere else in the world can one find fishpond wall building as beautiful as in Hawai‘i, where it was developed into a fine art. Initially, I was doing a research paper on the importance of Hawaiian fishponds and the restoration of preserving such an art and tradition. I was comparing the fishponds of Moloka‘i with those on O‘ahu, collecting oral traditions and historical and cultural information. But it was difficult for me to contact owners for an interview and gather information because of political issues with county and state governments. I lucked out and had the opportunity to change the focus of my paper. I became employed full-time at the Bernice Pauahi Bishop Museum as



a researcher and consultant for Hawai'i and Pacific cultures. I was involved with many projects and was responsible for researching and providing historical and cultural information. One of the projects was with Pacific American Foundation, a non-profit organization dedicated to assisting Hawaiian communities through educational programs related to the environment and a partnership with Bishop Museum, which obtained a two-year grant to assist Hui Mālama o Mo'omomi in fulfilling its goals.

During the first year working with Hui Mālama o Mo'omomi, I attended many meetings with board members and the staff involved. I assisted with the project by researching historical and cultural information and interviewing residents from the community for oral history and traditions. I also visited Mo'omomi, participated in an archaeological tour of excavated sites, assisted in building a footpath to the different sites, observed an educational program which involved a group of high school students from Moloka'i Intermediate and High School, participated in a summer class offered by Hui Mālama o Mo'omomi, and attended a legislative meeting at the state capitol, concerning the activities and the project participants. I am currently working with other staff members on the project and assisting board members of Hui Mālama o Mo'omomi with the development of a code of conduct to better manage the resources at Mo'omomi. The project is very important to many families living on homestead land.

In this paper, I examine Mo'omomi as a "site," a place, and an *āina* deeply



connected with Hawaiian values, which sustained life before European contact, continue to do so today, and hopefully will continue in the future. This is discussed throughout the paper starting with background information on subsistence and its importance for families living on the island of Moloka'i. Next, information on the traditional Hawaiian social system, including *konohiki* fishing rights, is provided to give the reader a better understanding of the changes that have altered Hawaiian culture. The next section contains historical information on Mo'omomi and the community involved in managing the area. Political issues, involvement by outside organizations and future plans are discussed as part of the management section. A brief conclusion section provides a summary and concludes the paper.

## II. BACKGROUND

*"Over the years, a number of activities have contributed to the degradation of the natural environment of Moloka'i" (Matsuoka, McGregor and Minerbi 1998:25).*

There have been changes in the economy, and a recently renewed reliance on tourism and other modern day developments. All of these changes have affected the natural environment and resources through pollution and erosion. At the same time, the availability of natural resources needed for subsistence is essential to Moloka'i's households, since many families, particularly Hawaiian families, continue to rely on these



resources, through subsistence activities, to feed family members (Matsuoka, McGregor and Minerbi 1998:26).

Subsistence activities connected with the ocean, as defined under the Hawai'i Administrative Rules by the Legislature of the State of Hawai'i, are "the customary and traditional native Hawaiian uses of renewable ocean resources for direct personal or family consumption or sharing" (see appendix A). The emphasis here is on traditional practices and techniques for family or personal use, with no commercial activity at all. This definition was taken from the Governor's Moloka'i Subsistence Task Force, which adopted it from another Task Force, the Governor's Task Force on Moloka'i Fishpond Restoration. It defined subsistence as "the customary and traditional uses by Moloka'i residents of wild and cultivated renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, transportation, culture, religion, and medicine, for barter, or sharing, for personal or family consumption, and for customary trade" (Wyban 1993:12). Here subsistence resources were used for family or personal use in the form of traditional and/or modern practices.

These subsistence resources serve as an integral part of life and provides a basis for the perpetuation of traditional Hawaiian values, the conservation of natural resources, better health, as well as a source of a supplemental income. Subsistence living thrives and is more evident in rural communities throughout the Hawaiian Islands where cultural



values, e.g. *aloha ʻāina* and *mālama ʻāina*, continue to be practiced. The valuable traditions and resources of Hawaiʻi can only be sustained through continuing the practice of respecting the natural environment.

The culture and language of Hawaiʻi have been transmitted orally for generations by the *kūpuna*. Hawaiian values and practices were shared and taught to those whom the *kūpuna* felt would perpetuate and not desecrate their teachings. Important information that was passed down and incorporated into the daily lives of the next generation included methods, equipment, prayers, proper protocol, understanding nature in all aspects, and knowing what is *pono* or *pono ʻole*. Those that had the privilege of learning about their own culture received a better understanding and appreciation for the Hawaiian gods, as well as for their *kūpuna*, the natural environment and its resources. Such knowledge helped to understand, appreciate and preserve historical information, such as place names, location of fishing *koʻa*, methods of fishing and gathering, and the lifecycles of both marine and land resources, which were critical to the preservation of natural and cultural landscapes, since they provide the link between the past and the present (Matsuoka, McGregor and Minerbi 1998:26,34).

Traditional Hawaiian values still exist among Hawaiians today, i.e., *aloha, alu like, ʻimi na ʻauao, kōkua, laulima, lōkahi, lokomaikaʻi*, and *mālama*, to name a few. These values need to be preserved and conserved, and the only way is by practicing and using

them as part of daily life. The aforementioned values are evident among practitioners of various subsistence activities from all parts of Hawai‘i by those who continue to live as they were taught by their *kūpuna*. For example, fishermen were taught to practice being quiet as soon as they left home to go fishing and to continue their silence until they returned, otherwise the fishes would hear them coming. It also helped to concentrate on the job that needed to be done to provide food for the family. A successful fishing trip happened when everyone, whether they were participating in the gathering or not, cooperated by showing *aloha, kōkua, laulima, lōkahi, mālama* and *lokomāika‘i* toward each other and the natural environment. If anyone neglected any of these cultural values at anytime while on the trip, the fishing ended immediately. According to Leiff Bush, a Ho‘olehua resident, who learned fishing from his grandfather, uncle and cousins, “You couldn’t touch the water, you couldn’t talk, you couldn’t whistle, you couldn’t say nothing. You just was one bag boy. You just grab the fish, grab the bag and walk” (see appendix B). He made it very clear that if he talked, touched the water, or whistled then, he and his grandfather would turn around and go home. “The fishing was over,” he said, “Nothing is said, it’s over, no fishing, so ho.”

When the resources of the fishermen were abundant and available, families and neighbors would *kōkua* and *mālama* the *kūpuna*, as well as those who were less fortunate, by giving them some of the catch. Kili Mawae, a lifetime fisherman and resident of



Ho‘olehua Homesteads, lives and practices what his *kūpuna* taught him. “That’s why I share,” he explained, “my braddah he share. Me I like, I don’t know who the guy, I going give him fish anyway. That’s how me. I just get that, maybe I brought up that way. The Hawaiians were brought up that way too, to share and give” (see appendix B). “It was always sharing. They (fishermen) would share their fish with the farmers or ranchers. They would just trade (exchange), and it was easy,” according to Mickey McGuire, a lifetime fisherman from Moloka‘i who practices subsistence and teaches others about fishing (see appendix B). But he also mentioned, “You gotta know how to survive, and you gotta know how to give from the heart.” Strong relationships are reinforced among families, relatives, friends, neighbors, and community members with the practice of Hawaiian cultural values, especially with sharing. “Everybody went fish their own way, and their own fishing holes, and then they would bring back all the fish and then they would split ‘em up among all the families equally and distribute that way,” said Mickey McGuire.

There is also a strong sense of environmental kinship with nature because “subsistence practitioners commune with Nature, honor the deities that represent natural elements and life forces, learn how to *mālama* the land, and develop an understanding about patterns and habits of flora and fauna” (Matsuoka, McGregor and Minerbi 1998:34). In former times, subsistence practices allowed the natural resources in rural

communities to thrive. Unfortunately, in recent years, competition over resources has developed and become intense between residents and non-residents and between Hawaiians and non-Hawaiians. The cultural and natural resources of Moloka‘i are no longer as abundant as the current generation of adults remembers them to have been when they were growing up. There is a need for better management of the resources that have been traditionally used by the people of Moloka‘i for subsistence purposes. “They (resources) have changed in a way that it’s not as abundant as it was at that time. But, but it’s there, you know, the same fish are there, the same *‘opihi*, the same *limu*, but it’s not as abundant,” explained Franklin Makaiwi, a fisherman and resident of Ho‘olehua Homesteads (see appendix B).

Hawaiians tend to engage in subsistence and related practices more than other ethnic groups, which reflects the importance of subsistence in the perpetuation of culture through subsistence activities. This is evidence that “these (subsistence) activities are embedded in the (Hawaiian) culture and can be explained through a history of adaptation, the development of an indigenous economy, and the maintenance of cultural traditions despite the influx of foreign lifeways” (Matsuoka, McGregor and Minerbi 1998:35). Although subsistence on Moloka‘i is long established as a Hawaiian custom and practice, other ethnic groups on the island have adapted to a rural lifestyle and also engage in and benefit from subsistence activities. However, the latter do not have Hawaiian cultural



values and they have less respect for the environment. They tend to overharvest, taking more than what is needed, with a view to selling some of their catches. According to Franklin Makaiwi, “We only caught what we needed and that was it. It’s not like today where I think you know a lot of people they hoard everything and which is not right.”

“There is a growing sentiment that *if you don’t take something when you see it, someone else will*” (Matsuoka, McGregor and Minerbi 1998:36). This kind of thinking leads to the abuse of the cultural practices, the degradation of the natural environment and contributes to the depletion of natural resources. According to Wayde Lee, fisherman and resident of Ho‘olehua Homesteads, “If you just take enough for your table, the ocean is going to take care of you” (Guth 1999:6)

Subsistence activities not only provide food for many households on Moloka‘i, but they also perpetuate and preserve traditional Hawaiian cultural values, customs, and practices and provide better health. Subsistence gathering requires a great amount of physical exertion that contributes to a positive physical and mental attitude toward health. It ensures a healthy diet that contains high nutritional values, prevents diseases and reduces stress. Many *kūpuna* are unable to engage in such physical activities associated with subsistence, and therefore are cared for by the younger generation.

“The present generation of subsistence practitioners is facing new challenges and problems from tourism, commercialism, and newcomers who are ignorant of Hawaiian

subsistence values, customs, and practices” (Matsuoka, McGregor and Minerbi 1998:36).

In 1990, a group of Moloka‘i subsistence hunters organized Ahupua‘a o Kaluako‘i (later changing their name to Pono) to stop harmful commercial and recreational management of wild animals by the State of Hawai‘i and private corporations. They picketed against Moloka‘i Ranch, which was going to herd wild deer into a 3,000-acre fenced area. They also learned that the Nature Conservancy on Moloka‘i was capturing wild animals, i.e., feral pigs, goat and deer, with cabled snares and leaving them to rot. Upset with the unnecessary cruelty against the animals, the members of Ahupua‘a o Kaluako‘i took their concerns to the governor to protect the herding and killing of their subsistence resources. Successfully, they were able to stop the Nature Conservancy from killing the animals and the ranch from hunting wild deer for commercial use, and have the State of Hawai‘i require permits for sport hunting (Hawai‘i Governor’s Moloka‘i Subsistence Task Force 1994:24).

“Subsistence fishing, hunting, gathering, and cultivation provided a reliable means of support for the community during the rough economic times” (Matsuoka, McGregor and Minerbi 1998:26). Unemployment on Moloka‘i is higher when compared to other islands where a significant portion of the population depends on public assistance. According to Kelson “Mac” Poepoe, a lifetime fisherman and resident of Ho‘olehua Homesteads, “That’s, that’s (traditional values) more important to me than money. Like I



said, when the money run out nobody come around. Nobody come around. So I like these bugga's (folks) get *ma'a*, working without money you know. You doing things without money, and I think the idea, you know like, concept of *laulima*. You gotta re-establish all that kind stuff" (see appendix B).

Mac Poepoe and Hui Mālama o Mo'omomi are doing exactly this, re-establishing traditional values and practices by educating first, the younger generation on the importance of proper behavior and needs, which are all part of the management plan recommended by the Hui. As part of its management plan, Hui Mālama o Mo'omomi proposed to:

- regulate (using the Hawai'i Administrative Rules) fishing activities that are incompatible with sustainable use of inshore subsistence fishery;
- work with the State on managing, monitoring and enforcing control;
- train volunteer or recruited resource managers to monitor fishing activities, catches and resource conditions and assist State authorities in enforcing regulations in the management area; and
- educate novice fishermen (focus on the next generation of fishermen) in sustainable fishing methods and conservation ethics (Hui Mālama o Mo'omomi 1995:4-5).

Its focus is to maintain "the habitat and regular biological processes of the inshore fishery within normal bounds of variation" (Hui Mālama o Mo'omomi 1995:23) and to control and restrict commercial fishing methods. These issues proposed by the Hui requires *lōkahi* from the community and State authorities in order to maintain, restore and preserve customary fishery practices. Traditional values and practices are as important to

subsistence practitioners today, especially for those living on Moloka‘i, as it was for their *kūpuna*.

### III. TRADITIONAL HAWAIIAN SOCIAL SYSTEM

*Traditionally, the ancient Hawaiians operated under a system of land tenure that allowed use of the land, fisheries, and other natural resources, subject only to religious or political restrictions (MacKenzie 1991:173).*

The traditional Hawaiian social system, known as the *kapu* system, consisted of a society that was characterized by a strict code of environmental ethics and a complex religious, governmental, and social system. Those *kapu* or laws that forbid specific activities, were said to be made by the gods and enforced by the upper class or *ali‘i*, who were believed to be closely related to the gods. These laws were to be obeyed by everyone. The system was intended to preserve and conserve resources, and also help to maintain the favor of the gods, to carry out a well-mannered social order and to prevent acts of spiritual defilement (Handy, Emory, Bryan, Buck, Wise, and others 1933:35). Violation of a *kapu*, whether intentional or accidental, resulted in severe punishment, even death. Although the discipline of the *kapu* was harsh, it was very effective.

The *kapu* system regulated the lives of all classes of Hawaiian society. The *ali‘i*, the chiefs, who held their positions because of their family history or genealogy and their ability as rulers, were the ones who provided leadership. Thus, they were advised and



counseled by the *kāhuna*, who were experts in a variety of professions, on the proper behavior that was necessary to retain the favors of the gods. They also conducted ceremonies in the *heiau*. The *kālaimoku*, counselors and assistants to an *aliʻi*, informed the *aliʻi* on the distribution of land and its division into many *ahupuaʻa*. Each *ahupuaʻa* was supervised by a *konohiki*, or land agent, who oversaw the use and care of the land and controlled the land and fishing rights. The majority of the population of an *ahupuaʻa* consisted of *makaʻāinana*, or commoners. They were under the authority of the *konohiki* and the *aliʻi*, and were the ones who did the work in the community (Bryan 1938a:63-64).

Despite the restriction of the *kapu*, the *makaʻāinana* had a considerable amount of independence. They had the ability to leave a district ruled by an *aliʻi* who treated them unfairly. Hence, the *kapu* system affected all, from the *aliʻi* to the *makaʻāinana*, because without their care, the resources would not flourish and the rule by the *aliʻi* would cease to exist. With the *kapu* system, however, the resources multiplied and were kept under control to last forever. “Traditionally, Hawaiian conservation and management values would be based on the respect of nature; regulation of regime and access of resources; indigenous knowledge base; love of the land; search for balance and harmony with nature, and taking care of the land. These approaches are nurtured when Hawaiians are ‘guardian’ of certain Hawaiian places and do manage their land base” (Minerbi 1996b:3).

Prior to annexation, the Kingdom of Hawaiʻi codified the ancient system of fishing

rights, “*konohiki* fishing rights,” which encompassed a set of nearshore fishing rights that was unique in the United States and recognized the interests of both *konohiki* and *ahupua‘a* tenants (MacKenzie 1991:173). Under this system, the *konohiki* was able to monitor and regulate the amount of fish and other marine resources taken from the reefs and fishing grounds within the *ahupua‘a*. Tenants were free to fish in the open ocean, except when restricted by the *ali‘i*, or when a *kapu* was in effect, or a religious practice was taking place.

On June 7, 1839, Kamehameha III officially acknowledged the ancient fishing practices and uses of the ocean by Hawaiians (MacKenzie 1991:174). The law recognized the people’s fishing rights and continued the practice of placing a *kapu* on certain fish species and for specific fishing seasons. “Fishing rights are called ‘*konohiki* fishing rights,’ but in law, the term encompasses the fishing rights of the owner of the *ahupua‘a* and the joint rights of the tenants to take from the same fisheries” (Ibid.,188).

The economy of pre-contact Hawai‘i was based on subsistence. The *‘āina*, or land (and sea), was the life of the Hawaiian people. They lived off the land and the sea, which were the foundation of the economy. The wealth of the land and the people’s labor sustained their own lives. In generations past, those that lived in the uplands would exchange resources with those living in the lowlands, and vice versa. For example, people who lived in the upland garden area would supply those that lived near the coast with



resources such as cordage, wood or other materials for building houses. In exchange, those that lived in the coastal areas would give fish, other seafood, or fishing implements to those that lived in the uplands. Hawaiians produced and exchanged their goods only in sufficient quantity to sustain their lives, meet ceremonial obligations and provide tribute to their chiefs.

The people were obligated to meet the daily needs of the *ali'i*, who in return were expected to care for the people. They also made sure that there was enough food and goods for all; and they did this by conducting ceremonies that guaranteed the help of the gods to enhance that supply. Hawaiians used the resources, which the gods provided on the land and in the sea, to feed, cloth, and house themselves and their chiefs, and to observe the ceremonies that enhanced their lifestyle. The Hawaiian subsistence economy depended on the ability to work together and have respect for all aspects in life. However, with the coming of foreigners, life for many Hawaiians changed.

The *kapu* system worked very well as a means of social, environmental and political control. In spite of that, once Hawai'i became a place where foreigners were welcome, this complex system and controls began to break down. Hawaiians soon realized that this system could not be applied to the foreigners. A new group of foreigners arrived in Hawai'i shortly after the death of Kamehameha I in 1819. They brought their religious, social, legal, educational, economic, and political ideas with them from faraway New

England. “The impact of this foreign culture has had a devastating effect on the history of Hawai‘i” (Menton and Tamura 1989:71). The privatization of land and the introduction of a monetary economy were very new concepts for Hawaiians. The economy of Hawai‘i shifted from a subsistence economy to a commercial, or monetary economy.

“Prior to Western contact, Hawaiians had no concept similar to private property ownership” (MacKenzie 1991:173). Many Hawaiians found themselves without the ability to farm, or without access to the land that once supported them. Some were made landless. As a result, many were forced to seek employment and moved to urban areas, abandoning traditional subsistence living that had been the basis of Hawaiian culture for centuries. Hawaiians faced a cultural crisis and the decimation of their population. Infectious diseases introduced by foreigners caused many Hawaiians to die because they had no immunity to those new diseases. The social system that once guided the life of a Hawaiian was no longer effective and rapidly disappeared. This change drastically affected every segment of the Hawaiian society, but not every Hawaiian in the society discarded their traditional ways. There were those who rebelled, clung to the practices of the past and refused to give up their lifestyle. Remnants of this lifestyle is still evident among some Hawaiians today.

Hui Mālama o Mo‘omomi recommended in its management plan to merge traditional and modern practices in order to sustain the natural resources. The *kapu*



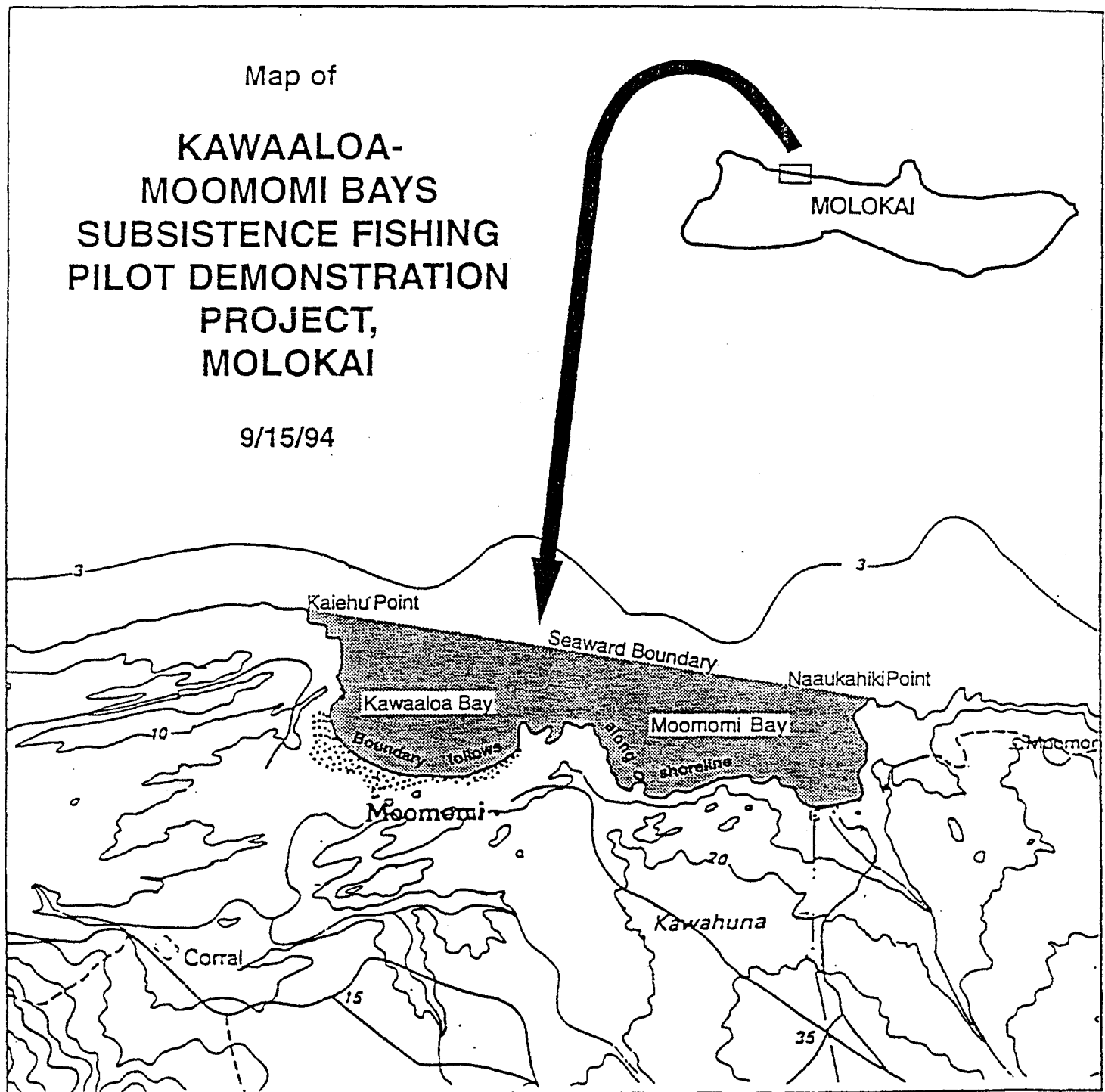
system and *konohiki* fishing rights can be applied to the management area with the responsibility and cooperation from the community and the State. The Hui strongly feels that a *kapu* should be placed on species during their spawning season, to protect them from being depleted or overharvested. “Customary fishing practices and rules of conduct can be revitalized in the Mo‘omomi subsistence fishing area through peer pressure and education that emphasizes acquiring, using and transmitting ancestral knowledge” (Hui Mālama o Mo‘omomi 1995:3).

#### IV. COMMUNITY

##### A. MO‘OMOMI

*Moomomi is sacred ground. It is said that a woman of ancient times made love to a god and carried his spirit child. Her human husband, in his anger at her betrayal, brought her to Moomomi to the stinging salt spray and inhospitable winds. He sat her on a black rock above the crashing surf, the waves roaring around her, as if to say, “This is how angry I am, as angry as all the ocean when it comes against stone.” She was so frightened she went into labor and began to cry. Cradled in a tear that came from her eye and rolled down her cheek into the ocean was a tiny fish. Embraced by the surging sea, he swam away and grew into a shark god. The black rock is still there, on the eastern end of the beach (Ariyoshi 1997:11).*

Mo‘omomi is bordered by rugged shorelines and is an area of land which extends about two miles along the seashore from a little east of Na‘aukahihi to Kalani, and inland a mile or two (Summers 1971:40) (Fig. 1). The shorelines have a wide variety of ocean



**Figure 1: Map of Kawa'aloa-Mo'omomi Bays Subsistence Fishing Pilot Demonstration Project on Molokai.** (Pacific American Foundation. 1998. "Application of Hawaiian Traditions to Community-Based Fishery Management." Submitted to Administration for Native Americans. July.)

animals and provide subsistence that supports many of the local families on Moloka‘i, especially homesteaders of Ho‘olehua Homesteads, which is located north of Mo‘omomi. “Mo‘omomi was, breadfruit for the people you know because we had *‘opihi*, we had *limu*, we had fish, we had crab, all of that, those things,” according to Sam Makaiwi, Sr., a lifetime fisherman and *kūpuna* of Ho‘olehua Homesteads (see appendix B).

“The management area borders one of the least accessible reaches of coastline in the State of Hawai‘i” (Hui Mālama o Mo‘omomi 1995:11). Access requires permission from several private corporations. “From Nihoa Flats to Mo‘omomi Bay, access is through Hawaiian Home Lands. From Kawa‘aloe Bay west to ‘Ilio Point, access is through lands controlled by Moloka‘i Ranch and the Nature Conservancy who strictly regulate public access. The State-owned ‘Ilio Point is accessible over an unimproved road” (Ibid.).

Some people think the name Mo‘omomi is linked to the legend of the ancient Hawaiians’ quest for a special, stony sponge (*‘ana*) that was used medicinally (Summers 1971:41). This special sponge is described as being found in a submerged cave at Mo‘omomi, the location of which was a carefully protected secret. Collecting the medicinal sponge was a particularly dangerous and extremely difficult activity because the cave entrance was guarded by a supernatural *mo‘o*.

The area is the last remaining intact coastal dune ecosystem in the Hawaiian Islands. It is made up mostly of coral, sand beach and sand dunes. The dunes provide



evidence of many extinct and rare plants and animals that represent a window to our past (Naehu 1993:12-14). There are three beaches located along the shorelines of Mo'omomi: Kalani, Kawa'aloa, and Mo'omomi. Kawa'aloa and Mo'omomi are bays, which include a preserve and a large sand dune area. Strong and steady winds have shaped and reshaped the dunes over many generations. At one time, dunes like these were common along the shores of much of the Hawaiian Islands, but nearly all have been lost to urban development, sand mining, or conversion to pasture grass.

Besides its importance of being the last remaining intact coastal dune site, Mo'omomi is also a marine fishery management area that was once used by early Hawaiians as a temporary fishing station and a quarry for making stone tools. Before the turn of the century, fishermen frequented Mo'omomi, casting nets in the sea and taking shelter in the wind-hollowed sandstone caves. In the 1940s George Cooke interviewed Mrs. Jennie Wilson, who described the journeys of those who traveled from Pelekunu Valley, located 18 miles east of Mo'omomi, to Mo'omomi before Western contact.

*The walls of Pelekunu are so sheer and the valley so finely notched that the sun manages to cast its rays inside for only five hours a day. The inhabitants of Pelekunu would leave the valley at certain seasons of the year when schools of fish went to Moomomi. When the ocean was calm they would paddle abroad in their outrigger canoes until they reached Moomomi to fish and bask in the sunshine. But if the surf was too high, they paddled only as far as Kalawao and carried their pai ai and other belongings up the cliff and overland down the long western slope to Moomomi. The waters along Moomomi's beaches are shallow and full*

*of fish because they are protected by underwater rocky ledges. Therefore, families from Pelekunu would make an outing of their fishing trips, staying for days while their catch dried in the sun and their children played the sunny shores (Summer 1971:40 & Clark 1980:88).*

Remnants of the past remain at Mo‘omomi as well as evidence of a living presence.

Located on the side of the gullies near Mo‘omomi are some rock enclosures where ti plants have thrived since ancient times. The ti (*kī*) plant was used for cooking, bundling preserved fish, *hukilau* (long net fishing) and protection against bad spirits. Deposits of fossilized bird bones represent the community of extinct species that once populated Mo‘omomi. As many as thirty native birds thrived before the arrival of humans, and the area is still visited by a variety of native species, such as (shorebirds), the Hawaiian monk seal and the endangered green sea turtle, that regularly nest and lay their eggs in the sands (Ariyoshi 1998:9).

From pre-contact times to today, Mo‘omomi has been used as a subsistence fishing area. The ocean at Mo‘omomi still provides subsistence for homesteaders of Ho‘olehua Homesteads and has served as a Subsistence Fishing Pilot Demonstration Project from 1995-1997, as well as a marine sanctuary. Mo‘omomi is a very special place for residents of Ho‘olehua Homesteads. William Wallace, Jr., a *kūpuna* of Ho‘olehua, describes his feelings, “Mo‘omomi is a special place for us (homesteaders), our family, our *‘ohana* because it provides us subsistence food from the ocean: *‘opihi, pāpa‘i, limu*, not only that

we come and gather sand, *one*, and the *pōhaku*, the stone, they important to us, and we come to Mo‘omomi to camp to bring our family, enjoy mostly during the summer months, and the winter months we let the fish, *pāpa‘i*, and the *limu* to regenerate again, yeah. We really appreciate and love Mo‘omomi very much ... this is their (homesteaders) backyard, Mo‘omomi ” (Figueroa 1997).

## **B. HO‘OLEHUA HOMESTEADS**

It was not until the early 1920s when the homesteaders of Ho‘olehua Homesteads used and relied on the resources from Mo‘omomi to provide food for their families. Ho‘olehua Homesteads was a test for Prince Jonah Kūhiō Kalaniana‘ole who was Hawai‘i’s representative in Congress, and certainly looked out for his people. He was concerned about the future for Hawaiians and the rapid decrease of the Hawaiian population throughout the islands. There were many Hawaiians who were concerned about the lack of housing for poor Hawaiians. They felt that by making lands available, it would give Hawaiians a better lifestyle than living in the cities. Kūhiō, being the Territorial delegate to Congress, helped to get the message across to members of the United States Congress.

Successful, the Congress of the United States passed the Hawaiian Homes Commission Act (HHCA) in 1921, which was designed to return Hawaiians to the land.



The act established a land trust of approximately 200,000 acres for homesteading by Native Hawaiians, defined as persons with 50 percent or more Hawaiian blood (Hawai'i Advisory Committee 1980:1). "By adopting the HHCA, congress appeared to be reacting, although indirectly, to the serious political repercussions of the westernization of Hawai'i and the loss of a communal land base by Hawaiians" (MacKenzie 1991:43). Native Hawaiians who qualified for homesteads were able to obtain 99-year leases at a dollar a year for residential, pastoral, and agricultural lots (see appendix C). The Hawaiian Homes Commission (HHC), a group of five men, including the appointed governor of the Territory, headed the Department of Hawaiian Home Lands (DHHL). There was a five-year trial experiment, during which DHHL operations were limited to certain lands on the islands of Moloka'i and Hawai'i to prove itself. The areas that were selected for homestead were lands in very dry places and considered "hard" to survive on. To Hawaiians, land is land and the way it was cared for was what mattered.

The first homestead development took place on the coastal flats of Kalama'ula on the island of Moloka'i. Due to the insufficient supply of freshwater, the program at Kalama'ula failed. As a consequence, the Hawaiian Homes Commission opened another tract of land. The site was on the plains of Ho'olehua and Pālā'au, also on Moloka'i. This homestead area was known as the Ho'olehua-Pālā'au Homesteads, and today it is more commonly referred to as the Ho'olehua Homesteads.

Ho'olehua-Pālā'au Homestead opened on October 24, 1924. It was comprised of 4,375 acres, which included about eighty-three forty-acre lots classified as first class agricultural lands (State of Hawai'i Department of Hawaiian Home Lands 1925:3). In 1928, a review by the Territorial Legislature declared the program a success and amended the act to remove the five-year trial experiment and limitation of lands. It opened the way for subsequent development on the other Hawaiian Islands.

Besides meeting the blood quantum, Hawaiians were also required to apply for a homestead. But according to the informants I interviewed, the first families were asked by Prince Kūhiō to settle Ho'olehua-Pālā'au Homesteads. They were chosen from a pool of Maui families from Waikapū who volunteered and were screened for special qualities and their capability for self-sufficiency. According to Leiff Bush, "They (families) was asked for come to, I mean come on the homestead. Because what happened was I guess the, the first group came ... was from the city. See they couldn't survive on homestead. They never know how fish, they never know how hunt so you know was a problem for them. So you know they was asked to come on the homestead for, for live. ... They was going eliminate the homestead if people couldn't survive ... That's what I read in my journal (from his grandfather). That's why they came. Because they, they went, Hawaiian Homes went ask to come over here because they knew the families over there was living in, on their own. ... They did their own fishing, they did everything. ... That's why, that's why was

good for them they could survive on the homestead. Go fishing, and you know dry the fish.

Go hunting, plant taro, sweet potato, pumpkin and they was farmers. They was farmers

and they was fishermen. I mean so they could survive.” Mac Poepoe explains how his

family settled in Ho‘olehua, “So my great-grandfather, my grandmother, my father came.

Three generations came one time. ... But I’m fourth generation on this (Ho‘olehua)

homestead. The interesting thing was, the only reason they came because the original

homesteaders who came on this island down on Kalama‘ula, they came they went farm.

But their farming efforts somehow was going down hill because they was sucking too much

water. The water was coming salty, so their crops was dying. Never look good hah for the

homesteaders. So, Prince Kūhiō went call in Waikapū. In Waikapū, he tried to hustle

some farmers because my family was one of the families that came over here that

established themselves over here in this (Ho‘olehua) homestead and made the homestead

successful yeah. Prince Kūhiō was good, but what went happen, from here this is how this

homestead programs went spread to the rest of the state. That’s what I learned. If, they

went fail here in Ho‘olehua, wouldn’t have such a thing as homestead on our island.”

Since the opening of Ho‘olehua Homesteads, many families have relied on Mo‘omomi for subsistence. Fishermen and gatherers would walk down to Mo‘omomi to

catch fish to feed their families. But during World War II, the fishing lifestyle at

Mo‘omomi changed from a safe marine resource habitation area to a bombing practice site



for the military. This did not stop Hawaiians from gathering resources at Mo'omomi, nicknamed the Target Range, because they had to feed their family. Mac Poepoe remembers when his father used to dodge the bombs at Mo'omomi, so he could provide food for his family. Mac Poepoe, along with many other families, continue to rely upon food from Mo'omomi Bay for a significant portion of their subsistence.

Today, Ho'olehua Homesteads consists of a total of 13,820 acres of land that support approximately 1,000 residents (Pacific American Foundation 1998:1) (Fig. 2). According to Ken Toguchi, Public Information Specialist at the DHHL Information and Communication Relations Office, as of January 2000, there is a total of 489 leases for Ho'olehua Homesteads, of which 148 are residential leases, 320 are agricultural leases and 21 are pastoral leases (see appendix C). According to George Maioho, the number of families who can trace their leases back to the original homesteaders are close to the original number, which is about 75. There is a good mixture of *kūpuna*, adults, teenagers and children that reside on Ho'olehua Homesteads. Today there are approximately 37 Hawaiians on the Department of Hawaiian Home Lands Application Waiting List for Ho'olehua (State of Hawai'i Department of Hawaiian Home Lands 1996).

To Hawaiians, Mo'omomi is still a sacred place where their ancestors once lived during fishing seasons and relied upon the sea for sustenance. It is a special place for many families. Today, local residents still rely on Mo'omomi for fishing, *'opihi*, *limu* and salt.

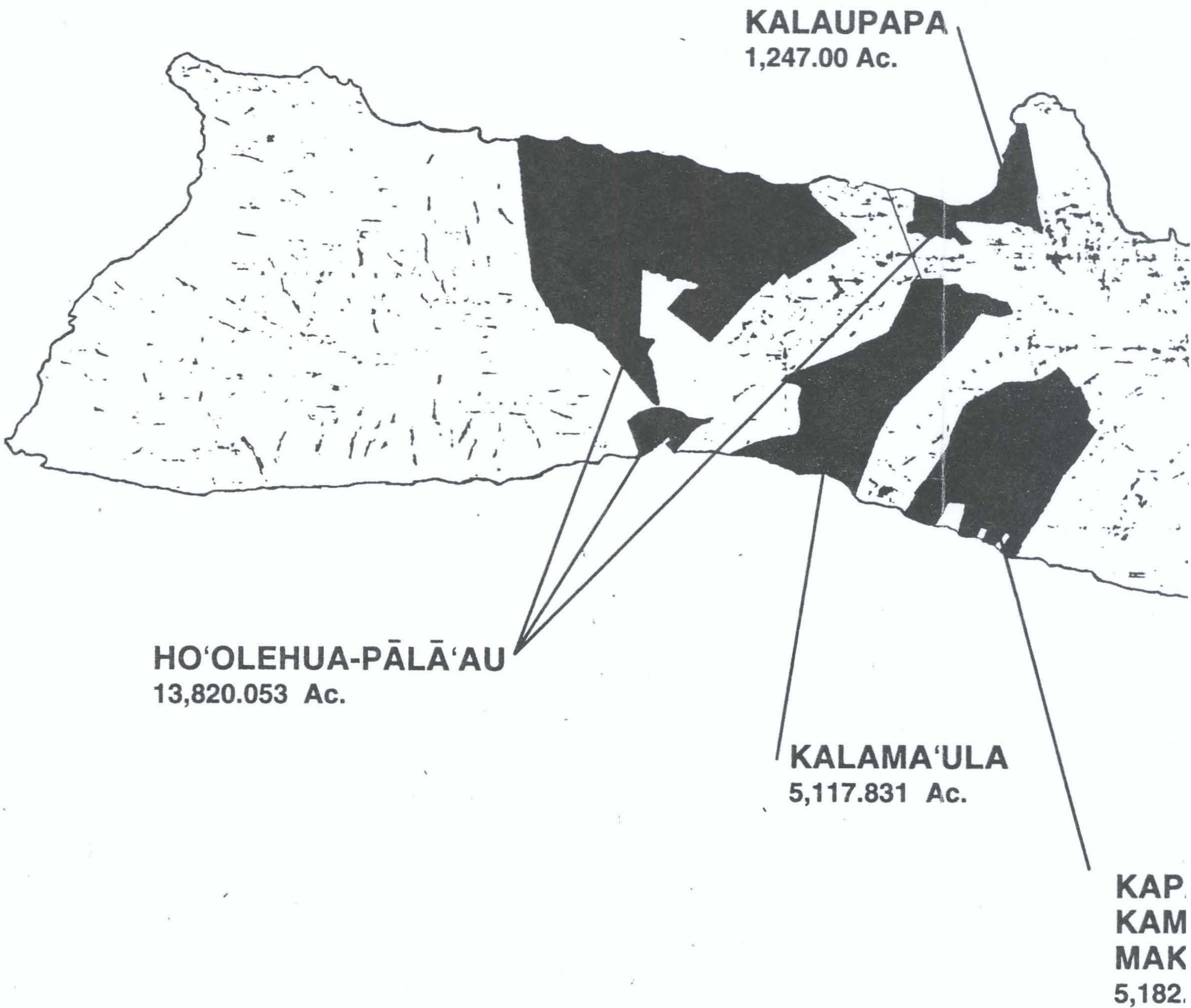
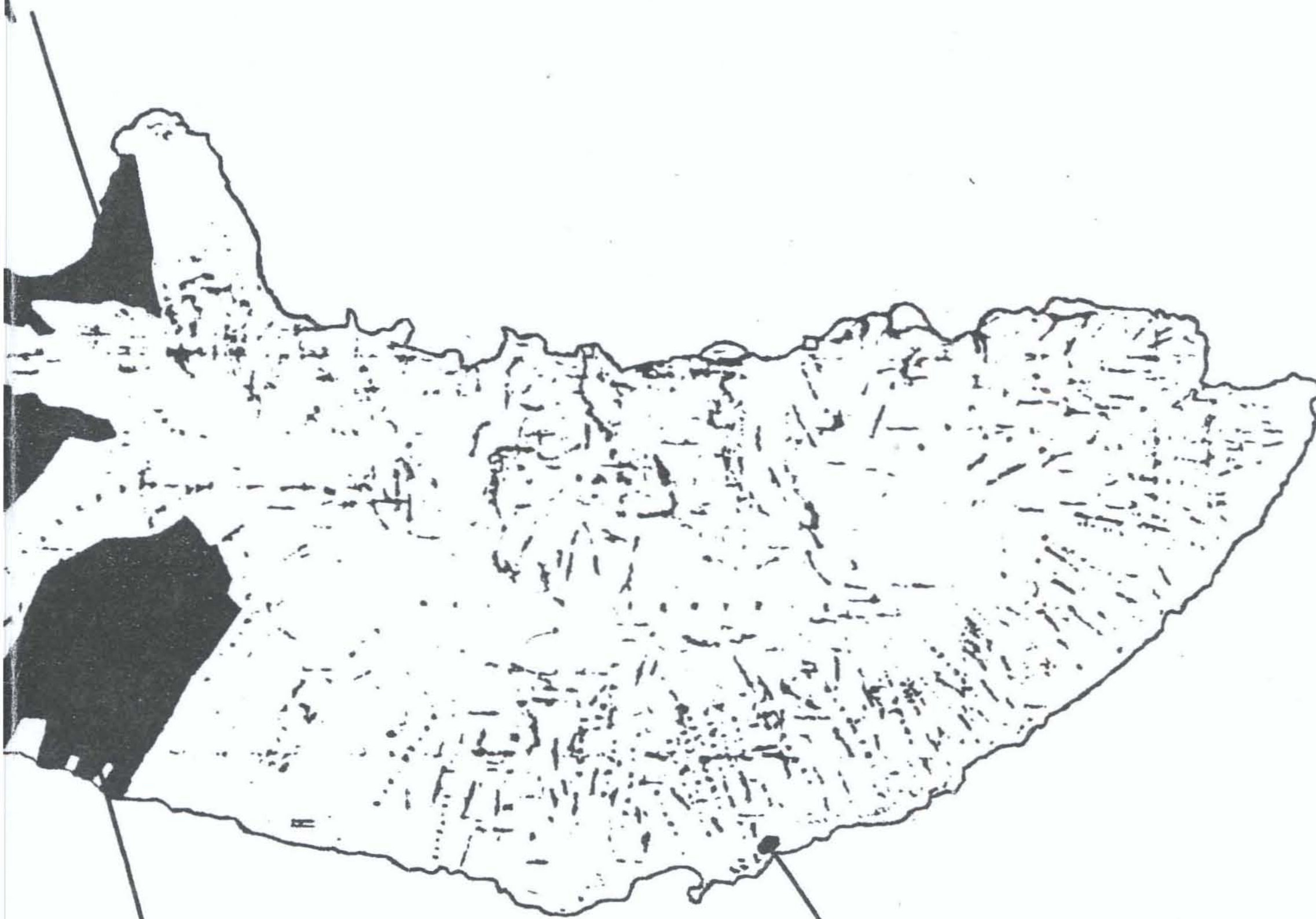


Figure 2: Map of Hawaiian Home Lands on the island of Moloka'i. (State Department of Hawaii  
Hawaiian Home Lands: An Overview. Honolulu: Department of Hawaiian Home Lands.)



# MOLOKA'I

25,383.785 ACRES



'ULA  
Ac.

'UALAPU'E  
16.002 Ac.

KAPA'AKEA  
KAMILOLOA  
MAKAKUPA'IA  
5,182.899 Ac.

(6/30/96)



## **V. MANAGEMENT OF PROPOSED AREA**

### **A. MOLOKA'I SUBSISTENCE TASK FORCE**

As a result of Ahupua'a o Kaluako'i's concerns over the protection of its subsistence resources, Governor John Waihee decided that a task force be formed to review all subsistence activities on Moloka'i. In 1993, a task force was appointed by the governor to assess and survey the importance of subsistence to Moloka'i families. It was to identify problems related to subsistence activities, define and determine important subsistence areas, and recommend policies and programs to protect and/or enhance subsistence activities on the island (Hawai'i Governor's Moloka'i Subsistence Task Force 1994:16).

The Moloka'i Subsistence Task Force was co-chaired by Mac Poepoe and Dona Hanaike, then Deputy Director of DLNR. The Task Force consisted of members from communities on Moloka'i as well as representatives from the State of Hawai'i, i.e., DHHL, Department of Land and Natural Resources (DLNR), Department of Business and Economic Development and Tourism (DBEDT), Moloka'i Ranch, Hui Mālama o Mo'omomi, and individual subsistence practitioners of fishing, hunting and gathering (Hawai'i Governor's Moloka'i Subsistence Task Force 1994:16). A study was conducted by the services of a group of University of Hawai'i consultants and professors from the disciplines of social work, health, history, ethnic studies, architecture, and planning in order to assist in defining the scope of work and goals of the Task Force (Matsuoka, McGregor and Minerbi 1998:27). The Task Force organized eight focus groups to help

obtain valuable information on subsistence living as practiced on Moloka‘i.

Random surveys were conducted island wide by the Task Force regarding the extent and importance of subsistence activities on Moloka‘i. Task Force members contacted practitioners and invited them to attend focus group meetings in their districts to share their knowledge on customary practices and concerns regarding subsistence resources. There were eight meetings, one for each focus group, which were held over a one-month period involving 105 participants (Matsuoka, McGregor and Minerbi 1998:29). This was a way of collecting specific data on issues and problems associated with subsistence resources and their usage. “The goal was to discover and document aspects of a community in order to preserve or ameliorate such aspects in an effort to sustain or improve the quality of life” (Ibid.,28). “Experiences shared while fishing and gathering from the sea, in addition to the sharing of the food obtained in this manner, provide community members with a sense of continuity with the past and feelings of trust and support among themselves in the present” (Guth 1999:2).

The Task Force learned that oral histories proved that marine resources have sustained Hawaiians of northern Moloka‘i since the 11<sup>th</sup> century. It developed policies and made recommendations for community review. Results from the work of the Task Force provided valuable information and recommendations. Almost half of the respondents’ family incomes were less than \$20,000 a year; and residents obtained a higher percentage

of their food – 38 percent – through subsistence means than did non-Hawaiians – 28 percent (Guth 1999:2). Most important, it was suggested by participants of the Task Force that residents of the Ho‘olehua-Pālā‘au community be allowed to manage and protect the shoreline marine resources of Mo‘omomi and its surrounding areas for subsistence fishing. “About half the community fishes, the Task Force found, and the per-household consumption of seafood at Ho‘olehua Homesteads is 25 pounds per week, or roughly 10 times the amount of seafood consumed in the average O‘ahu household” (Ibid.).

A preliminary report was submitted to the Governor by the Task Force, which recommended designation of a Mo‘omomi Subsistence Fishing Area on the northwest coast of Moloka‘i from Nihoa Flats to ‘Ilio Point. Having completed its work, the Governor’s Moloka‘i Subsistence Task Force was officially disbanded on June 29, 1994 (Hawai‘i Governor’s Moloka‘i Subsistence Task Force 1994:121).

## **B. HUI MĀLAMA O MO‘OMOMI**

With the help of some residents from the homestead, members of Ho‘olehua Homesteads, who served on the Task Force, decided to carryout the recommendation of designating a Mo‘omomi subsistence fishing area. They created a community-based conservation group to seek special management status from the State of Hawai‘i to designate Mo‘omomi Bay as a community-based marine sanctuary. As a consequence, in

1994 Hui Mālama o Mo‘omomi was formed as a non-profit organization, which promotes and maintains community-based educational activities on conservation principles through native Hawaiian practices in the maintenance and management of ocean resources of the north coast of Moloka‘i.

Hui Mālama o Mo‘omomi consists of residents from Ho‘olehua Homesteads where currently there are about 45 members. A board was formed to serve and assist members in maintaining and managing Mo‘omomi Bay and nearby coastal areas. Board members are elected to office by Hui members as president, vice-president, secretary, and treasurer. Since the formation of this organization, Hui Mālama o Mo‘omomi has gone through several changes of officers.

### **C. MANAGEMENT PLANS**

To help with the community, the DHHL prepared a bill about the same time that the Task Force was conducting its work to create a Native Hawaiian subsistence fishing area near Ho‘olehua Homesteads. DHHL proposed the establishment of a five-year pilot project in which there were two management options outlined for waters along the shoreline and out to a depth of 40 fathoms between Nihoa Flats and ‘Ilio Point (Guth 1999:2). The first option asked for permits to be issued by DHHL, with no commercial fishing allowed. The second option asked for the State to retain jurisdiction over the area



and allow only subsistence fishing in the parameters (Guth 1999:2-3). A draft of the bill was circulated to various executive branches of government. There were objections from different branches that opposed requiring a permit stating that it was not right to set-aside a fishing area only for the use of Native Hawaiians. Henry Sakuda, then administrator of DLNR's Division of Aquatic Resources (DAR), said, "The offshore waters are public waters and cannot be designated only to Hawaiians to use and only Hawaiians on Moloka'i to use" (Ibid.). After several revisions to the draft, a final bill was submitted to the governor's office in November 1993 to be included in the 1994 Administration Legislative Session.

Originally, the bill planned for the community to manage the marine resources for subsistence. Unfortunately, however, it was amended by the Legislature to make the DLNR accountable for the management of any area designated as a Native Hawaiian subsistence fishing area (Ibid.). House Bill no. 3446 was finally passed and signed as Act 271 (See appendix D). Two sections were added to Act 271, which allowed and required DLNR to:

- 1) designate community-based subsistence fishing areas in which the communities involved must demonstrate their 'ongoing ability to meet community-based subsistence needs and judicious fishery conservation and management practices; and
- 2) create a 'subsistence fishing demonstration project' in the designated areas between Nihoa Flats and 'Ilio Point (Guth 1999:3).

Authorities from the DAR recommended to the DLNR to designate Kawa‘aloa and Mo‘omomi Bays for the demonstration pilot project, which were found reasonably easy to manage. The areas within and surrounding the two bays were created as a subsistence fishing demonstration pilot project, but there were some concerns about access. The area chosen for the pilot project borders Ho‘olehua Homesteads where the main access is through homestead lands that belongs to the DHHL. Non-Hawaiians were concerned and worried that their access would be limited and that it would be easy for Hawaiians to put up a gate, or forbid vehicle access thereby making the area a fishing zone exclusively for the use of Hawaiian homesteaders. They were not even giving Hawaiians a chance.

DLNR held a series of four public meetings to develop rules for the pilot project in the Fall of 1994 (Guth 1999:4). The provisional rules from Act 271 and the new rules for the pilot project were to be enforced by the Hui and abided by all who wished to fish within the demonstration area. Permits were issued by DLNR to those who could prove past use of the area as well as to those who wanted to use the area and agreed to comply to subsistence regulations. The permits were valid for one year and could be revoked if any subsistence rules were violated. Monthly catch reports were required to monitor the “take” of marine resources. Hui Mālama o Mo‘omomi was the community group in charge of the designated area for the demonstration pilot project. It was required by the Legislature to submit a report at the end of the project to state its ability on community

based subsistence needs and legal fishery conservation and management practices.

Hui Mālama o Mo‘omomi had submitted a status report to the Legislature six months before the ending of the project. The Hui complied with the provisions of the rules in Act 271 and the new rules that became effective at the start of the project. It included in its report surveys that were conducted, total permits issued and monthly catch reports on the type and summation of marine species caught. “Since the new Rules became effective in July 1995, several attempts to survey the subject area were cancelled because of poor weather or sea conditions, lack of survey personnel and conflicts with other duties” (State of Hawai‘i Department of Land and Natural Resources 1996:3). Hui Mālama o Mo‘omomi also reported that two years is too short to assess the impact of the new Rules because ocean conditions at Mo‘omomi and Kawa‘aloa Bays varies from day to day and can get very dangerous, especially during the winter season.

There has been great concern and commitment from Hui members to preserve Mo‘omomi and the natural resources in the area because there are many families that rely on subsistence fishing for a significant portion of their food (Hawai‘i Governor’s Moloka‘i Subsistence Task Force 1994:4). As amended in Act 271, proposals were to be submitted to the DLNR to designate a community based subsistence fishing area. Hui Mālama o Mo‘omomi developed and submitted a management proposal plan (see appendix E) to the Legislature “containing a description of the specific activities to be conducted in the fishing

area, evaluation and monitoring processes, methods of funding and enforcement, and other information necessary to advance the proposal” (Hawai‘i State Legislature 1994:838). It temporarily excluded the areas designated for the demonstration pilot project. It would accomplish other objectives to manage Mo‘omomi and nearby areas and maintain the natural resources at a sustainable level (see appendix F).

At this writing, Hui Mālama o Mo‘omomi is still waiting for a decision from DLNR on its proposal. Authorities from the DAR are working with the community on its draft proposal because there are portions that are unclear and need to be clarified, and redrafted by the Hui. The draft needs to be approved by DAR authorities before it can be established as a rule and presented to DLNR. According to Alton Miyasaki, Aquatic Biologist for DLNR Aquatics Division, there have been several informal discussion meetings on Moloka‘i with the community since the termination of the project in 1997. The DAR is currently working with the homestead community, and if necessary, will hold hearings island wide, then including the County of Maui. “Authorities are not required to hold hearings statewide,” said Alton Miyasaki. Therefore, when DAR authorities feel that an agreement has been made, it will then take its recommendations to the DLNR. It is important that both parties, the State and Hui Mālama o Mo‘omomi, benefit from a final decision.



#### **D. SUPPORT**

In the meantime, Hui Mālama o Mo‘omomi has worked through other channels to manage the area for subsistence. Just before the termination of the demonstration pilot project, the group had applied for a Federal grant through the Saltonstall-Kennedy program, managed by the National Marine Fisheries Service, which invests in innovative demonstration fishing projects. This was the first educational project it funded, which assisted with the development of an educational program and “provided a boost to the group in its efforts to share its traditional knowledge and gain credibility in the arena of resource management” (Guth 1999:5). The grant funded the project for two years, which took effect on August 1, 1996 and ended January 31, 1998. Hui Mālama o Mo‘omomi conducted on-site and classroom presentations during the grant period. But it wasn’t able to accomplish its administrative duties and submit the required reports because of limited staff. The Hui applied for an extension of the grant, unfortunately, it was not extended nor renewed because of a greater competition and far fewer funds being available.

Hui Mālama o Mo‘omomi refused to give up. Another grant was sought with the help of Paul Bartram, Hui Mālama o Mo‘omomi’s technical advisor for fisheries management and main grant-writer. He assisted and contributed to Hui Mālama o Mo‘omomi’s proposal to designate a community-based subsistence fishing area. An application was submitted to a Federal Agency, the Administration for Native Americans,

through the Pacific American Foundation, which is a non-profit organization dedicated to assisting Hawaiian communities through educational programs related to the environment. The same concerns regarding overfishing and preservation were proposed as well as setting out the goals of promoting Hawaiian subsistence culture. “The proposal went on to advocate getting modern regulations in place to help enforce traditional methods and give credibility to traditional knowledge” (Guth 1999:5).

Hui Mālama o Mo‘omomi was awarded a grant of \$300,000 for two years, which began October 1998 and ends October 2000. During the two-year period of the grant, a calendar is to be developed along with a code of conduct for the community to follow. Members of Bishop Museum’s Education Department has assisted with the project in researching and collecting oral histories, including traditions of fishing techniques through interviews. Eight residents of Moloka‘i, homesteaders and non-homesteaders, were chosen to be interviewed (see appendix B). The objective was to utilize the community’s historical and current perspectives of local marine resources and validate an agreed code of proper fishing conduct for the project area. The eight informants were chosen by Hui Mālama o Mo‘omomi’s President Wayne Lee because of their experience and knowledge of traditional fishing methods and techniques and the natural resources of Mo‘omomi. The informants have provided valuable information and identified major issues regarding traditional fishing practices, methods and values. Sustaining the natural resources at

Mo'omomi is very important to all the informants, but they are especially concerned with taking care of the *kūpuna*. All the informants interviewed were males, *kūpuna* to *mākua*, who have taught and learned from each other the methods, techniques and fishing spots all along the northern coast. They all learned to fish from their *kūpuna* and fathers when they were young. Data collected from oral histories and written materials will be developed into an interpretive program, and hopefully in the near future a curriculum will be created for young and old.

With the help of professional marine scientists, scientific studies are being used today to examine traditional fishing methods and practices and understand local fishery dynamics with technical data that have scientific validity. Resource monitors were trained under the guidance of fisheries scientists. They collected information on fish measurement, tagging and release of specific fish species and fish count. They were also to assist in setting up underwater cameras to monitor the reefs for fish habitat and *limu* growth. The science-based resource monitoring will be blended with traditional techniques to better design the control of fishing in the area and develop a "community marine resource management calendar," similar to the Hawaiian Fishing and Planting Calendar.

As part of its educational agenda and with funding from the DHHL, Hui Mālama o Mo'omomi built their own pavilion at Mo'omomi for the Ho'olehua community. The main concern of the Hui is the education of the community as well as outsiders and visitors to the

area. Long time community leader and Vice-President of Hui Mālama o Mo‘omomi, Mac Poepoe, is in charge of the beach area at Mo‘omomi. He has volunteered much of his time and services to protect and maintain the natural environment of Mo‘omomi and its surrounding areas by monitoring the shoreline and observing the marine resources. Other members, along with Mac Poepoe, are reaching out to the younger generation by providing classes, and working with schools to educate and enhance the importance of subsistence techniques in preserving marine life. Students have the opportunity to learn about issues of subsistence living, fisheries management and cultural practices, and also to use them as part of their daily lives. School groups from several elementary schools and Moloka‘i Intermediate and High School take field trips to Mo‘omomi during the school year to see and experience the importance of subsistence and its marine resources. But most important, they learn cultural values and practices, i.e., *mālama* and *aloha*. Mac Poepoe conducts classes during the summer for young people that provides a more intense learning situation. Those that participate learn about the ocean, survival skills and the resources in the bay. The classes are free and run for three months. These classes have been a success with more and more children participating each year and interest from the community.

Hui Mālama o Mo‘omomi continues to share its knowledge of traditional values and fishing practices through on-site and classroom presentations in all the public and immersion schools on Moloka‘i. Islanders elsewhere in Hawai‘i and in the larger Pacific



area, particularly those who are interested in preserving and perpetuating traditional values and lifestyle and learning more about subsistence, have an interest in what is happening concerning Mo'omomi. In January 1999, a group of undergraduate and graduate students from the University of Otago at Dunedin, New Zealand, spent a month at Mo'omomi. They were supervised by Marshall Weisler, a lecturer in archaeology at the University, who had previously excavated pre-contact sites at Mo'omomi. With permission from Mac Poepoe and the board, the students were allowed to excavate selected sites and analyze samplings of remnants found to provide historical information on the lifestyle of Hawaiians along this coastal area.

There are other educational initiatives about Mo'omomi and its resources. Hui Mālama o Mo'omomi has produced a book about their proposal to designate Mo'omomi a Community-Based Subsistence Fishing Area. There are also two videos, written and produced by Juniroa Productions and commissioned by Hui Mālama o Mo'omomi, to help educate others on the importance of subsistence living and the preservation of cultural practices and marine life on the north coast of Moloka'i. Hui members also attend workshops and conferences on other islands as part of the community education and enhancement program of the Hui.

Education is as important as is determining the best method for the community to maintain and protect the marine resources at Mo'omomi. Board officers and members

attend monthly meetings to discuss the prevention of overharvesting and diminishing of resources. They want people to understand and respect the importance of natural resources and the life of marine species, e.g. the life cycle, habits, spawning and breeding cycles, interaction with other marine animals, environment, etc. As Mac Poepoe has explained, close attention is needed "... in order for the future generations to understand how important (a role) subsistence played for the culture of Hawai'i" and that it continues to do so today.

Residents of Ho'olehua homestead are encouraged to join Hui Mālama o Mo'omomi and attend the monthly meetings to understand and be involved in preserving Mo'omomi Bay for subsistence purposes. "There is a concern that if something is not done to reverse the trend of overharvesting and diminishing resources, there will be nothing left for future generations" (Matsuoka, McGregor and Minerbi 1998:37). This is a major problem that must be resolved by residents and non-residents. The best way to fix this problem is by educating them on the proper way of managing and caring for the resources so that the future generations will be able to enjoy the same resources.

## **VI. CONCLUSION**

Mo'omomi is a very special place for Ho'olehua homesteaders. It has supplied and supported a substantial subsistence fishery for the homesteaders who have relied on the

natural resources for generations. Subsistence fishing is a traditional source of food that is interwoven as part of life for residents of Ho'olehua Homesteads and helps to identify them culturally.

With the help of the community, county and state governments and with federal assistance, Hui Mālama o Mo'omomi has been able to protect and maintain the natural resources at Mo'omomi Bay and its surrounding areas (see appendix G). It also has worked hard to restore and maintain the use of customary fishery practices to prevent the depletion of subsistence marine resources. The relative isolation and the traditional code of fishing conduct practiced by some of the homestead residents help to maintain a sustainable inshore fishing resource (Pacific American Foundation, 1998:14).

Hui Mālama o Mo'omomi has accomplished several of its proposed goals adopted in the management plan, because of the courage and determination of its members. Local knowledge of the natural history and fishermen's experience have been collected by a select group of fishermen, who have used and relied on the resources of Mo'omomi for many years. Educational programs have been developed to perpetuate and teach subsistence fishing methods and values, and to train the younger generation to monitor harvesting and gathering activities. These programs continue to succeed with the help and knowledge of Hawaiians who serve as community leaders and are considered the teachers of future generations. They help to perpetuate and preserve traditional values and practices by

enforcing rules and emphasizing the importance of subsistence economies. There are still other issues that Hui Mālama o Mo‘omomi is aiming to accomplish under its current grant.

Conservation of resources is the number one goal for Hui Mālama o Mo‘omomi in which everyone must be educated. They include Hawaiians and non-Hawaiians, homesteaders, residents of Moloka‘i, islanders from other Hawaiian Islands, Pacific Islanders, people from the United States, off-shore fishermen, and boaters. “A widespread educational effort is needed to reach the larger population of present and future resource users,” and therefore, education should not be limited only to the Ho‘olehua community, because fishermen and visitors from other places and even other islands frequent the subsistence management area (Pacific American Foundation 1998:15). People need to learn how to gather in order to conserve, as has been the solution in the past. Traditional values and practices need to be taught and brought to the forefront. They have worked for centuries and can still work today.

Hawaiian culture was accountable to a *kāpu* system that preserved and controlled its natural resources by limiting the amount and type of species that could be gathered during certain seasons. This can be applied to Mo‘omomi today. “In modern Hawaii, natural resource management and enforcement have become disconnected from communities of resource users and centralized in government agencies” (Pacific American Foundation 1998:15). The State of Hawai‘i lacks sufficient enforcement manpower to

insure that existing fishing regulations are rigorously enforced. “For management to have a meaningful impact on the condition of the community and on the quality of life of the residents, there needs to be a strengthening of local control over marine resource use and local accountability for the health and productivity of resident marine resources” (Ibid.).

Hui Mālama o Mo‘omomi has proven that “community-based management and education can promote the sustainable use of fisheries resources more effectively and efficiently than government management and enforcement alone” (Pacific American Foundation 1998:15). There is a need for organizations for Hawaiians, such as the Hui, that have the ability to control their resources for future generations. Having a close relationship to the land, grassroots people are very passionate regarding Hawaiian issues and particularly the issues that concern them. Therefore, it is only fair that management be placed in the hands of community members so their natural resources and traditional values and practices can be perpetuated. It would be a tragedy if the resources were to become depleted because the community had lost control of those resources, and therefore, lost their major source of subsistence and economic self-sufficiency.

Hui Mālama o Mo‘omomi has waited long enough and accomplished several of its goals. The Hui has proven itself in many ways because of the commitment by dedicated members who continue to educate and enforce rules and values to those who visit Mo‘omomi. Education is the key component in sustaining the natural resources at



**Mo‘omomi, and along the northern coast of Moloka‘i. DLNR should declare Mo‘omomi as a subsistence fishing area managed by Hui Mālama o Mo‘omomi because of the importance of subsistence fishing and reliance on the natural resources to feed families.**

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## VIII. GLOSSARY

<i>ahupua'a</i>	land division usually extending from the uplands to the sea
<i>'āina</i>	land, earth
<i>ali'i</i>	chief, chiefess, ruler
<i>aloha</i>	love, to show kindness
<i>aloha 'āina</i>	love of the land, which includes the ocean
<i>'ana</i>	siliceous sponge ( <i>Leiodermatium</i> ), used as medicine and as sandpaper
<i>alu like</i>	work together, work in unity
<i>heiau</i>	shrine, pre-Christian place of worship
<i>hukilau</i>	a seine; to fish with the seine
<i>'imi na 'auao</i>	ambition to learn
<i>kahuna</i>	priest, sorcerer, expert in any profession
<i>kāhuna</i>	plural of <i>kahuna</i>
<i>kālaimoku</i>	counselor, high official
<i>kapu</i>	sacredness, prohibited, forbidden
<i>ki</i>	a woody plant ( <i>Cordyline terminalis</i> ) in the lily family, native to tropical Asia and Australia
<i>ko'a</i>	shrine, often consisting of circular piles of coral or stone, built along the shore or by ponds or streams, used in ceremonies as to make fish multiply
<i>kōkua</i>	helper, assistant, aid
<i>konohiki</i>	headman of an <i>ahupua'a</i> land division under the chief
<i>kupuna</i>	grandparent, ancestor, relative or close friend of grandparent's generation
<i>kūpuna</i>	plural of <i>kupuna</i>
<i>laulima</i>	cooperation, to work together
<i>limu</i>	a general name for all kinds of plants living under water, both fresh and salt, also algae growing in any damp place in the air, as on the ground, on rocks, and on other plants
<i>lōkahi</i>	unity, harmony
<i>lokomaika'i</i>	generosity, good grace
<i>ma'a</i>	accustomed, habituated, familiar
<i>maka 'āinana</i>	commoner, populace, people in general
<i>makua</i>	parent, any relative of the parents' generation
<i>mākua</i>	plural of <i>makua</i>



<i>mālama</i>	to take care of, preserve, protect
<i>mālama ‘āina</i>	care for the land, which includes the ocean
<i>mo‘o</i>	lizard, reptile of any kind; water spirit
<i>‘ohana</i>	family, relative, kin group
<i>one</i>	sand; sandy; silt
<i>‘opihi</i>	limpets
<i>pai ai (pa ‘i ‘ai)</i>	hard, pounded but undiluted taro
<i>pāpa‘i</i>	general name for crabs
<i>pōhaku</i>	rock, stone, mineral, tablet
<i>pono</i>	proper, right, fair
<i>pono ‘ole</i>	wrong, unfair, unrighteous

## Appendix A

### HAWAII ADMINISTRATIVE RULES

#### TITLE 13

#### DEPARTMENT OF LAND AND NATURAL RESOURCES

#### SUBTITLE 4 FISHERIES

#### PART II MARINE FISHERIES MANAGEMENT AREAS

#### CHAPTER 59

#### KAWAALOA-MOOMOMI BAYS SUBSISTENCE FISHING PILOT DEMONSTRATION PROJECT, MOLOKAI

- §13-59-1 Definitions
- §13-59-2 Prohibited activities
- §13-59-3 Permitted activities
- §13-59-4 Fishing permits
- §13-59-5 Revocation of permits
- §13-59-6 Penalty
- §13-59-7 Effective and termination dates

§13-59-1 Definitions. As used in this chapter unless otherwise provided:

"Kawaaloe-Moomomi Bays" means the bays situated offshore of Northwestern Molokai, County of Maui, Hawaii.

"Marine life" means any type or species of saltwater fish, shellfish, mollusks, crustaceans, coral, or other marine animals, including any part, product, egg, or offspring thereof; or seaweeds or other marine plants, including any part, product, seed, or root thereof.

"Native Hawaiian" means any descendant of the races inhabiting the Hawaiian islands prior to 1778.

"Pilot project area" means the Kawaaloe-Moomomi Bays subsistence fishing pilot demonstration project containing Zones 1 and 2 located in that portion of Northwestern Molokai bounded by a straight line drawn from Kaiehu Point to Naaukahiki Point, thence along the shoreline of Moomomi Bay and along the shoreline of Kawaaloe Bay back to Kaiehu Point as delineated in the "Map of Kawaaloe-Moomomi Bays subsistence fishing pilot demonstration project, Molokai, 10/05/94" located at the end of this chapter.

"Recreational fishing" means to fish for or take marine life for purposes other than producing income.

"Subsistence" means the customary and traditional native Hawaiian uses of renewable ocean resources for direct personal or family consumption or sharing.

"Zone 1" means the shoreward portions of Kawaaloo and Moomomi Bays enclosed by straight lines drawn between Points "A," "B," and "C."

"Zone 2" means the seaward portion of the Kawaaloo-Moomomi Bays Subsistence Fishing Pilot Demonstration Project, Molokai, seaward of Zone 1. [Eff JUN 19 1995 ]  
(Auth: HRS §§188-22.6, 188-53) (Imp: HRS §§188-22.6, 188-53)

§13-59-2 Prohibited activities. (a) No person shall engage in any fishing or use marine life within the pilot project area, except with a permit issued under section 13-59-3 providing for:

- (1) Within Zone 1, a permittee may fish or take marine life only with hook-and-line, thrownets, scoop nets, and hand harvesting methods; and
  - (2) Within Zone 2, all of the fishing provisions in Zone 1 shall apply, and a permittee may use spears between the hours of 6:00 a.m. and 6:00 p.m.; and use nets specifically to take akule.
- (b) All existing regulatory measures contained in title 12, Hawaii Revised Statutes (HRS) and title 13, Hawaii Administrative Rules (HAR), relating to fishing or marine life shall apply in the pilot project area.

(c) Nothing in this section shall be interpreted to prohibit any native Hawaiian traditional and customary rights to the extent allowed by law. [Eff JUN 19 1995 ]  
(Auth: HRS §§187A-5, 188-22.6, 188-53) (Imp: HRS §§187A-5, 188-22.6, 188-53)

§13-59-3 Permitted activities. (a) The department may issue a permit to fish in the pilot project area that is valid for not more than one-year in duration to the following:

- (1) Native Hawaiians to engage in subsistence fishing;
- (2) Commercial fishermen to continue existing commercial fishing; provided that the person has a valid state commercial marine license, has no standing violation or delinquency with the department, and has fished in the pilot project area (Statistical Area No. 312) during 1993 as recorded by monthly fish catch reports submitted to the department or has an exemption to reporting as a crew member of a vessel recorded fishing in the project area during 1993;
- (3) Non-native Hawaiians to continue existing recreational fishing; and
- (4) Others to collect or take marine life for other purposes pursuant to HRS and HAR.

(b) The department may limit the number of permits issued and specify terms and conditions to manage the fishing and marine life in the pilot project area. [Eff JUN 19 1995 ]  
 (Auth: HRS §§187A-5, 187A-6, 188-22.6, 188-29, 188-31, 188-53) (Imp: HRS §§187A-5, 187A-6, 188-22.6, 188-29, 188-31, 188-53)

§13-59-4 Fishing permit. (a) All applications for the fishing permit to use the pilot project area and fishing activity reports shall be made on forms provided by the department and containing the following information:

- (1) Name(s), signature(s), and address(s) and at least one telephone number to serve as a point of contact;
- (2) Type of fishing gear, method, and marine life to be taken; and
- (3) Commercial marine license number of each person applying for commercial fishing, and boat name, registration number and description.

(b) The permit shall be free.

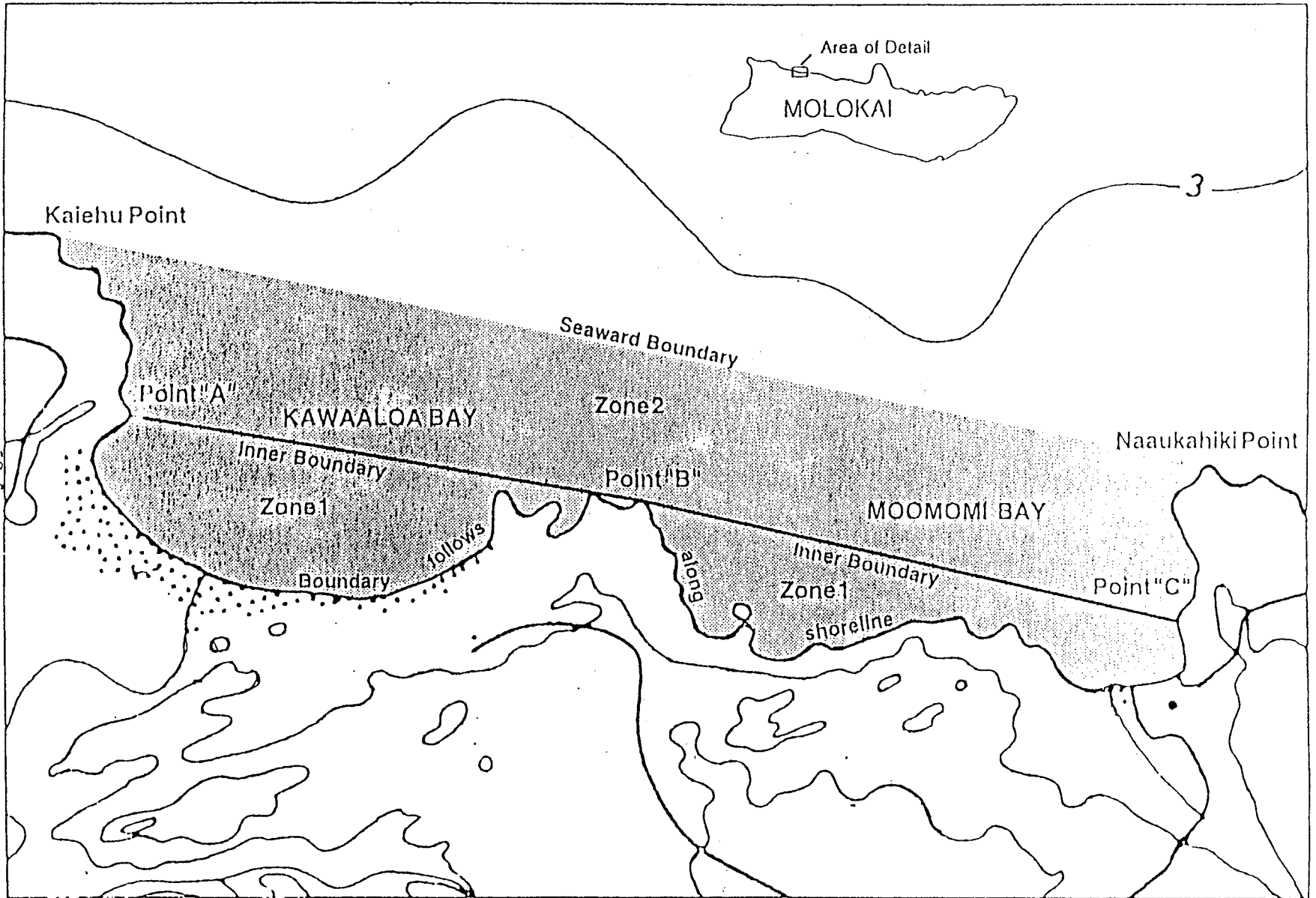
(c) Each permittee shall submit a signed monthly report of the date, hours of use or fishing, and number and amount of marine life taken in specific locations within 10-days after each month. [Eff JUN 19 1995 ] (Auth: HRS §§187A-5, 188-22.6, 188-29, 188-31, 188-53) (Imp: HRS §§187A-5, 188-22.6, 188-29, 188-31, 188-53)

§13-59-5 Revocation of permit. The Department may revoke any permit issued as provided by this rule for any infraction of the terms and conditions of the permit or violation of Statutes and Rules in the pilot project area, and a person whose permit has been revoked shall not be eligible to apply for another permit until the expiration of one year from the date of revocation. [Eff JUN 19 1995 ]  
 (Auth: HRS §§187A-5, 187A-6, 188-22.6, 188-29, 188-31, 188-53) (Imp: HRS §§187A-5, 187A-6, 188-22.6, 188-29, 188-31, 188-53)

§13-59-6 Penalty. A person convicted of violating the provisions of this chapter or the terms and conditions of any permit issued as provided by this chapter, shall be guilty of a petty misdemeanor, and upon conviction thereof, shall be punished as provided by law. [Eff JUN 19 1995 ]  
 (Auth: HRS §§187A-5, 187A-6, 188-22.6, 188-29, 188-31, 188-53) (Imp: HRS §188-70)

S13-59-7 Effective and termination dates. This rule shall take effect on July 1, 1995 and terminate on June 30, 1997. [Eff 1995] (Auth: HRS §§187A-5, 188-22.6) (Imp: HRS §188-22.6)





Map of Kawaaloa-Moomomi Bays Subsistence Fishing Pilot Demonstration Project, Molokai, 10/05/94

**Appendix B**  
**LIST OF SELECTED RESIDENTS INTERVIEWED UNDER A FEDERAL GRANT**  
**BY PACIFIC AMERICAN FOUNDATION**

**Leiff Bush** was born and raised on Moloka‘i on Ho‘olehua Homesteads where he currently resides. He learned to fish from his grandfather, for whom he was the “bag boy,” his uncle, cousins, and friends. He taught his children what he learned and continues to teach and fish and camp with his family at Mo‘omomi.

*“...I just believe in taking care the backyard, and that’s my, the backyard is Mo‘omomi and the homestead.”*

**Franklin Makaiwi** was born and raised on Moloka‘i on Ho‘olehua Homesteads. At the age of nine, he moved with his parents to live on other islands, ending up in the United States where he lived most of his life. He currently resides on Ho‘olehua Homesteads. He learned to fish from his grandfather, for whom he was the “bag boy,” and on his own. Mo‘omomi is very important to him, his family and the homesteaders.

*“I give my hand to all those who was before me and especially...the older people that some of us learned something from and hopefully we can pass on to our next generations.”*

**Sam Makaiwi, Sr.** was born on Maui. He came to Ho‘olehua from Waikapū with his family at the age of six. He is 81 years of age and still resides on Ho‘olehua Homesteads. He learned to fish from his uncle, and has taught his children and many others fishing and about Mo‘omomi. He does not visit Mo‘omomi as often as he used to, but cherishes all those memories.

*“You know that was our life down there (Mo‘omomi), when fish came along, that’s how the people lived here.”*

**Joseph Mawae** was born and raised on Moloka‘i on Ho‘olehua Homesteads. He is 61 years of age and still resides on Ho‘olehua Homesteads. He learned to fish from his father, the “old folks,” Sam Makaiwi, Sr. and mainly Bill Wallace, and his brother Kili. He has taught his children what he learned regarding practices and values. He continues to teach fishing and the importance of Mo‘omomi to his grandchildren and the next generation. He continues to use Mo‘omomi to feed the family today.

*“...the place (Mo‘omomi) is very famous for, for the homestead people because that’s the only place we can go.”*

Kili Mawae was born and raised on Moloka‘i on Ho‘olehua Homesteads. At the age of 62, he still lives on Ho‘olehua Homesteads and continues to fish at Mo‘omomi. He learned about the area and fishing from his grandmother and other *kūpuna*. He has taught his children and others, such as Mac Poepoe and Wayde Lee, all about fishing and Mo‘omomi. He has strong feelings for Mo‘omomi and is very passionate about it.

*“Mo‘omomi can be for real you know. I mean, you mālama your kūpuna. you take care them number one. Then the younger generation you take care them. You gotta teach them in order to be up here.”*

Mickey McGuire was born and raised on Moloka‘i on Ho‘olehua Homesteads. He is 59 years old and still resides on the homestead. He learned to fish from his friends, such as Kili Mawae and Earl Pond, and has taught his children and others, like Mac Poepoe, about fishing and Mo‘omomi. He continues to use and cherish Mo‘omomi so he can feed his family.

*“Eh, like us young fisherman or old fishermen, if we work together... we can do more than the government can do. See what this whole island is all about is respect.”*

Damien Place, Sr. was born and raised on the east end of Moloka‘i in ‘Ualapu‘e. He worked for Moloka‘i Ranch and therefore was able to fish at Mo‘omomi. He has taught his children and wife what he learned from his father, for whom he was the “bag boy.” He continues to teach fishing to his grandchildren.

*“Mo‘omomi is better for the Hawaiian people like (the) homesteaders. They know more about Mo‘omomi.”*

Kelson “Mac” Poepoe was born and raised on Moloka‘i on Ho‘olehua Homesteads. He currently resides on the homestead and volunteers much of his time in maintaining and monitoring the resources at Mo‘omomi. He learned to fish from his father and the “old timers.” He has taught his children about fishing and the importance of Mo‘omomi. As a long-time community leader, he has served on several committees while holding a full-time job as a fireman. He co-chaired the Governor’s Moloka‘i Subsistence Task Force, assisted in the establishment of Hui Mālama o Mo‘omomi and currently serves as the vice-President of the Hui. Mac has educated novice fishermen on the importance of fishing and taking care of Mo‘omomi through on-site and classroom presentations. He continues to manage and monitor the resources and educate others on the importance of fishing and Mo‘omomi.

*“I think, this whole fishing community, they no really get that, you know, that deep understanding of how the whole ecosystem, how the*

*thing operate. All they only know is the fish come in and they going catch em. That's it, you know. Where as the old Hawaiian they tell different they tell like, wow man eh tomorrow I gotta come back so I cannot catch em all. Everyday I gotta come back. These guys, no, they just going come once or twice and catch em and go home store em in their freezer. To me that's a whole different way, that's a whole different outlook. ...I like people get back into the old ways."*

**Appendix C**  
**CLASSIFICATION AND SIZE OF HAWAIIAN HOME LANDS**

<b><u>Class</u></b>	<b><u>Size</u></b>
<b>Residential</b>	<b>up to 1 acre</b>
<b>Agricultural</b>	<b>1 – 40 acres</b>
<b>Pastoral – irrigation</b>	<b>40 – 100 acres</b>
<b>Pastoral – first class</b>	<b>100 – 500 acres</b>
<b>Pastoral – second class</b>	<b>250 – 1,000 acres</b>

**Maximum size of land awarded homesteader is determined by Hawaiian Homes Commission Act.**

(b) Any person violating this chapter or any rule adopted in accordance with this chapter shall be fined not more than \$2,000 in addition to administrative costs and damages to state land. After written notification from the department, willful violation of this section may incur an additional fine of up to \$2,000 per day for each day in which the violation persists.

§ -8 Zoning order; appeal to circuit court. Any final order of the department based upon this part may be appealed to the circuit court of the circuit in which the land in question is found. The appeal shall be in accord with chapter 91 and the Hawaii Rules of Civil Procedure."

SECTION 2. Section 205-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Except as herein provided, the powers granted to counties under section 46-4 shall govern the zoning within the districts, other than in conservation districts. Conservation districts shall be governed by the department of land and natural resources pursuant to [section 183-41] chapter \_\_\_\_\_."

SECTION 3. Section 183-41, Hawaii Revised Statutes, is repealed.

SECTION 4. Section 183-43, Hawaii Revised Statutes, is repealed.

SECTION 5. Statutory material to be repealed is bracketed.<sup>1</sup> New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved July 1, 1994.)

Note

1. Edited pursuant to HRS §23G-16.5.

ACT 271

H.B. NO. 3446

A Bill for an Act Relating to Subsistence Fishing.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 188, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

§188- Designation of community based subsistence fishing area.

(a) The department of land and natural resources may designate community based subsistence fishing areas and carry out fishery management strategies for such areas, through administrative rules adopted pursuant to chapter 91, for the purpose of reaffirming and protecting fishing practices customarily and traditionally exercised for purposes of native Hawaiian subsistence, culture, and religion.

(b) Proposals may be submitted to the department of land and natural resources for the department's consideration. The proposal shall include:

- (1) The name of the organization or group submitting the proposal;

- (2) The charter of the organization or group;
- (3) A list of the members of the organization or group;
- (4) A description of the location and boundaries of the marine waters and submerged lands proposed for designation;
- (5) Justification for the proposed designation including the extent to which the proposed activities in the fishing area may interfere with the use of the marine waters for navigation, fishing, and public recreation; and
- (6) A management plan containing a description of the specific activities to be conducted in the fishing area, evaluation and monitoring processes, methods of funding and enforcement, and other information necessary to advance the proposal.

Proposals shall meet community based subsistence needs and judicious fishery conservation and management practices.

(c) For the purposes of this section:

- (1) "Native Hawaiian" means any descendant of the races inhabiting the Hawaiian islands prior to 1778; and
- (2) "Subsistence" means the customary and traditional native Hawaiian uses of renewable ocean resources for direct personal or family consumption or sharing.

SECTION 2. The department shall establish a subsistence fishing pilot demonstration project for the fisheries adjacent to the coastline between Nihoa Flats on the east to Ilio Point on the west on the island of Molokai. The department of land and natural resources shall adopt rules pursuant to chapter 91 to delineate the offshore boundaries of the project area. In implementing this project, the department:

- (1) Shall protect and allow the continuation of all existing commercial fishing activities in the project area;
- (2) May allow non-native Hawaiians to continue existing recreational fishing activities;
- (3) Shall adopt rules pursuant to chapter 91 to implement the purpose and intent of this project by June 30, 1995; and
- (4) Shall file a status report on this pilot project no later than twenty days prior to the convening of the Regular Session of 1997.

SECTION 3. The pilot project shall cease to function on July 1, 1997.

SECTION 4. New statutory material is underscored.<sup>1</sup>

SECTION 5. This Act shall take effect upon its approval; provided that the pilot project shall not take effect until the department of land and natural resources adopts rules for the pilot project.

(Approved July 1, 1994.)

Note

1. Edited pursuant to HRS §23G-16.5.



**Appendix E**  
**HUI MĀLAMA O MO‘OMOMI’S PROPOSED MANAGEMENT PLAN**

- **Regulation (through adoption of new Hawai‘i Department of Land and Natural Resources Administrative Rules) of fishing activities that are incompatible with sustainable use of the inshore subsistence fishery.**
- **Community and State sharing of managerial control and responsibility for monitoring and enforcement.**
- **Training of volunteer resource managers (recruited from the community) to monitor fishing activities, catches, and resource condition in the management area and to assist State authorities in enforcing regulations.**
- **Education of novice fishermen (especially the next generation of fishermen) in sustainable fishing methods and conservation ethics.**

**Appendix F**  
**HUI MĀLAMA O MO'OMOMI'S OBJECTIVES FOR ITS MANAGEMENT PLAN**

- 1. Regulate fishing activities that are incompatible with sustainable use of marine resources in the marine waters and submerged lands traditionally utilized as a community-based fishing are by the Ho'olehua community.**
- 2. Prevent depletion of subsistence fishery resources by managing on the side of caution.**
- 3. Maintain and restore customary fishing practices that are consistent with subsistence uses and values. (Customary refers to behavioral patterns that emerged from traditional roots and have continuous and meaningful links with the past as they adapt to handling contemporary events).**
- 4. Establish a cooperative management system in which authority and responsibility are shared by the fishing community and the State of Hawai'i and there is a fusion of customary management practices with contemporary government regulations.**
- 5. Train community resource managers to monitor harvesting activities and resource condition and to assist the State of Hawai'i in enforcing regulations in the management area.**
- 6. Design and implement an educational program to perpetuate subsistence fishing methods and values through initiation of novice fishermen (especially children).**
- 7. Integrate local knowledge of natural history and fishermen's experience with conventional scientific data collection to monitor and manage the fishery.**

**Appendix G**  
**CHRONOLOGY OF EVENTS FOR HUI MĀLAMA O MO‘OMOMI**

<b>1924</b>	<b>Ho‘olehua-Pāla‘au Homestead opened</b>
<b>1990</b>	<b>Moloka‘i subsistence hunters picket against Moloka‘i Ranch</b>
<b>1993</b>	<b>Moloka‘i Subsistence Task Force created (February) by Governor John Waihee</b>
<b>1993</b>	<b>DHHL drafted a bill to create a Native Hawaiian subsistence fishing area (November)</b>
<b>1994</b>	<b>Hui Mālama o Mo‘omomi formed as a non-profit organization</b>
<b>1994</b>	<b>Act 271 passed and signed by Legislature (DHHL bill)</b>
<b>1995-1997</b>	<b>Mo‘omomi designated as a demonstration pilot project by DLNR</b>
<b>1995</b>	<b>Proposal by Hui Mālama o Mo‘omomi to “maintain and restore customary fishery practices that are consistent with subsistence uses and values”</b>
<b>1996-1998</b>	<b>Federal grant from the Saltonstall-Kennedy program, managed by the National Marine Fisheries Service</b>
<b>1998-2000</b>	<b>Federal grant from the Administration for Native Americans through the Pacific American Foundation</b>